



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE May 6, 2005	CONTACT/PHONE Nick Forester 805-781-1163	APPLICANT Kathleen Douglass	FILE NO. DRC2004-00106
EFFECTIVE DATE May 6, 2005			
SUBJECT Request by Kathleen Douglass for a Minor Use Permit to allow the replacement of a permitted pre 1976 mobile home with a different pre 1976 mobile home. Additionally, the applicant is requesting a waiver of the exterior design standards required by section 22.30.450(E) of the county code for siding, roof material and roof overhangs. No site disturbance is proposed as part of the project. The project site is a 49.25 acre parcel. The parcel has split zoning consisting of Residential Rural on the western portion and Rural Lands on the eastern portion. The proposed project is within the Residential Rural land use category and is located at 5914 Parkhill Road, approximately six miles east from Santa Margarita. The site is in the Las Pilitas planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2004-00106 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 2 Categorical Exemption was issued on February 9, 2005			
LAND USE CATEGORY Residential Rural/Rural Lands	COMBINING DESIGNATION Extractive Resource Area	ASSESSOR PARCEL NUMBER 070-156-006	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None Applicable to this project			
LAND USE ORDINANCE STANDARDS: 22.08.163- Individual Mobile Homes <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on May 6, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Residential			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban/Residences East: Rural Lands/Residences South: Residential Suburban/Residences West: Residential Suburban/Residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Santa Margarita Advisory Group, Public Works, Santa Margarita Fire Department	
TOPOGRAPHY: Flat to rolling hills	VEGETATION: Grasses and scattered oak trees
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Santa Margarita Fire Department	ACCEPTANCE DATE: December 22, 2004

DISCUSSION

PROJECT HISTORY: This permit is to replace a permitted mobile home that was permitted under permit number 56423, issued on March 27, 1987

LAND USE ORDINANCE STANDARDS: The project meets the requirements of section 22.30.450 of title 22 of the San Luis Obispo County Code for location, minimum site area and setbacks. Because the proposed mobile home is not visible from any public road, the applicant is requesting a waiver of the exterior design standards of section 22.30.450(E) of Title 22 of the San Luis Obispo County Code.

COMMUNITY ADVISORY GROUP COMMENTS: Santa Margarita Advisory Group had no comments.

AGENCY REVIEW:
Public Works-No comments
Santa Margarita Fire Department- No comments

LEGAL LOT STATUS:
The parcel was created by parcel map CO77-0418, a legal method of creating parcels.

Staff report prepared by Nick Forester and reviewed by Kami Griffin.

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 2) pursuant to CEQA Guidelines Section 15303 because the proposed mobile home is the replacement of an existing mobile home on the same site having the same purpose and capacity.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed mobile home does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because/ the proposed mobile home is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Park Hill road, a local road constructed to a level able to handle any additional traffic associated with the project
- G. Because the proposed mobile home will not be visible from any public road, waiver of the exterior design standards for siding, roof material and roof overhangs will not create a significant visual impact.

EX - Combining Designation

- H. The proposed use will not adversely affect the continuing operating or expansion of the energy or extraction use because the project involves replacement of an existing mobile home and there is currently no energy or extractive resource activity occurring on the project site.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes

- a. the replacement of a permitted pre 1976 mobile home with a different pre 1976 mobile home.
- b. a waiver of the exterior design standards required by Section 22.30.450(E) of the county code for siding, roof material and roof overhangs
- c. maximum height is 35 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. At the time of application for construction permits plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project.

Services

5. At the time of application for construction permits, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. At the time of application for construction permits, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed or is installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

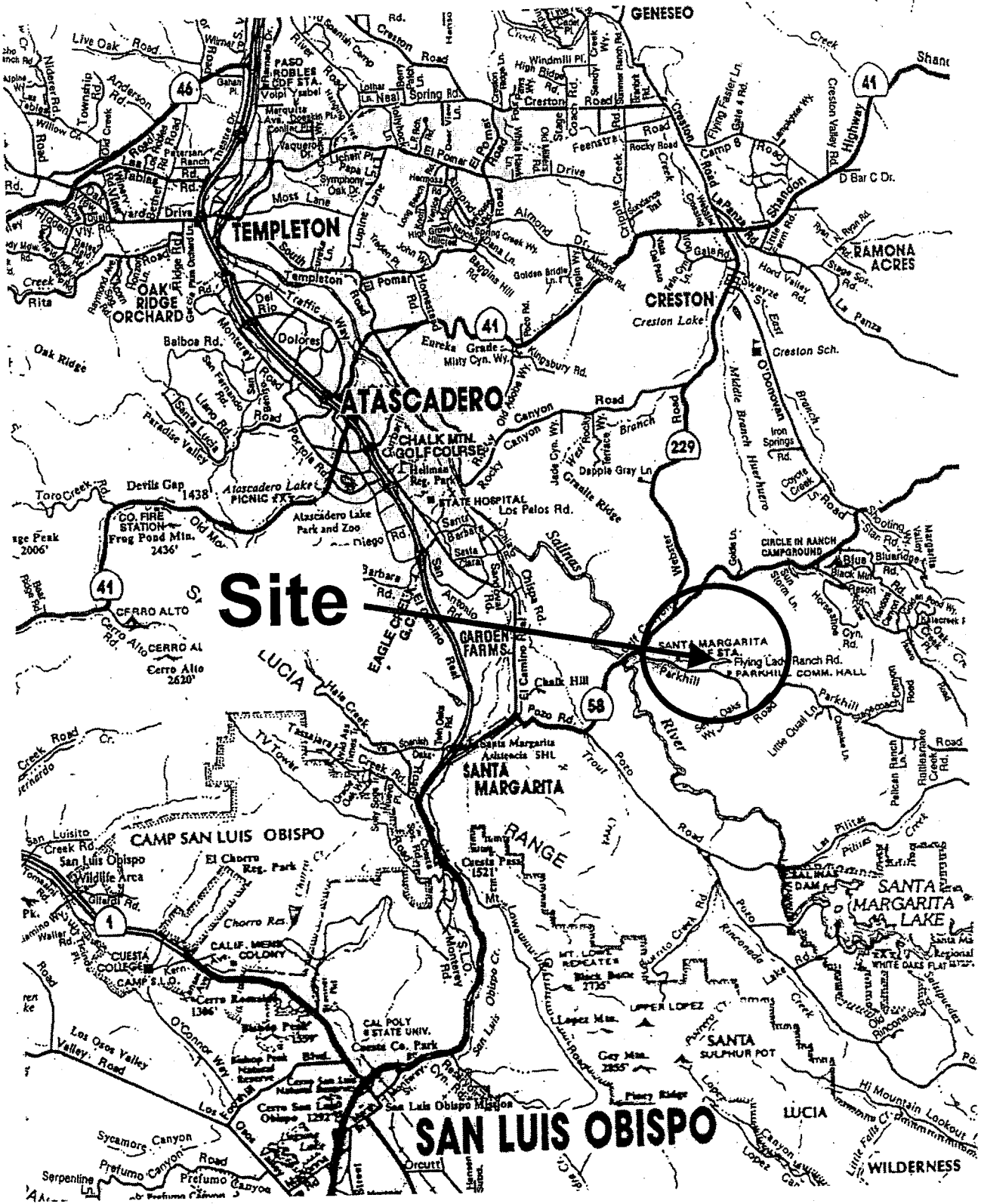
7. Prior to issuance of a construction permit, the applicant shall pay all applicable school and public facilities fees.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

8. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
9. Prior to occupancy of any structure associated with this approval, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
10. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

On-going conditions of approval (valid for the life of the project)

11. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
12. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.



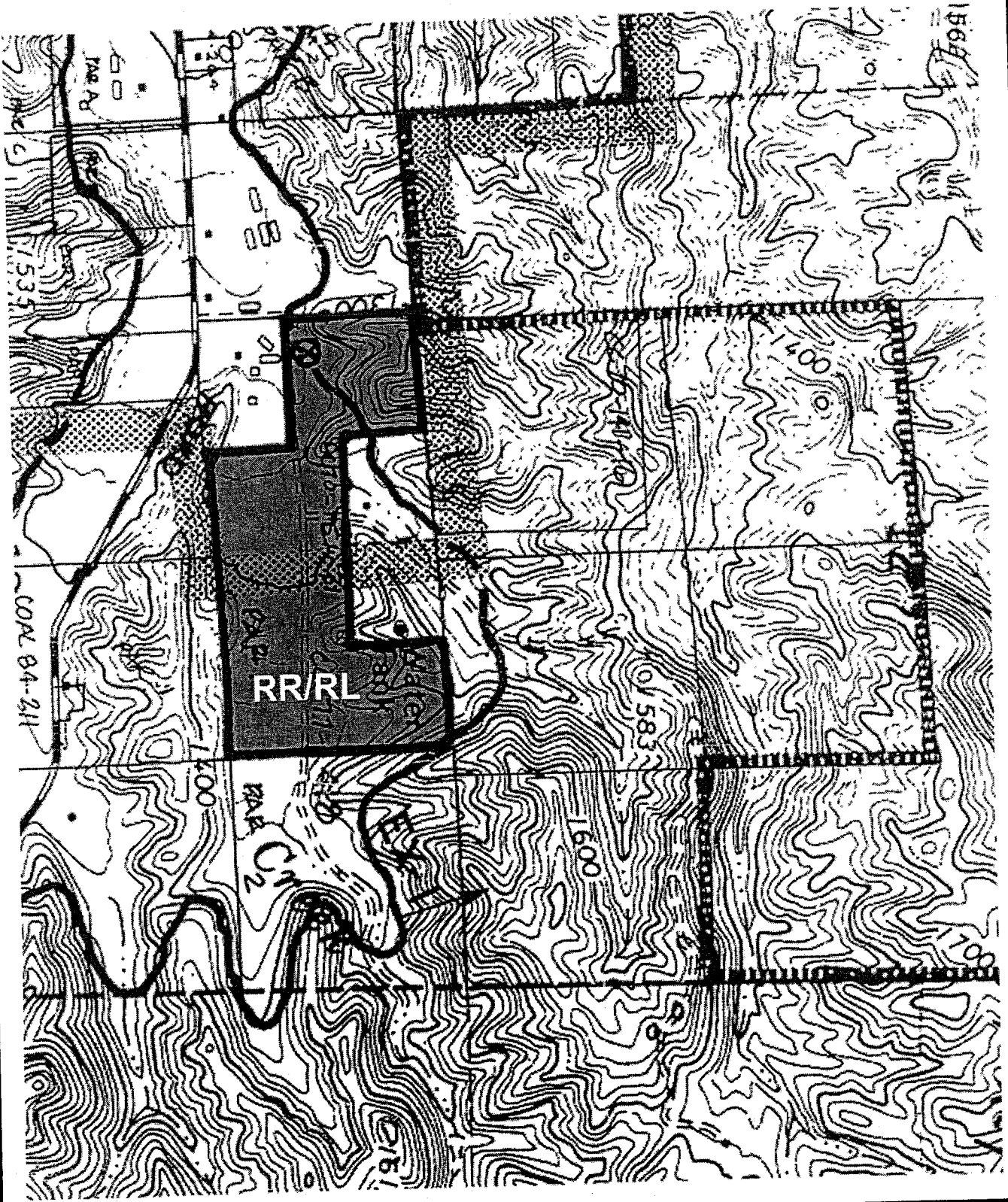
PROJECT

Minor Use Permit
Douglas/ DRC2004-00106



EXHIBIT

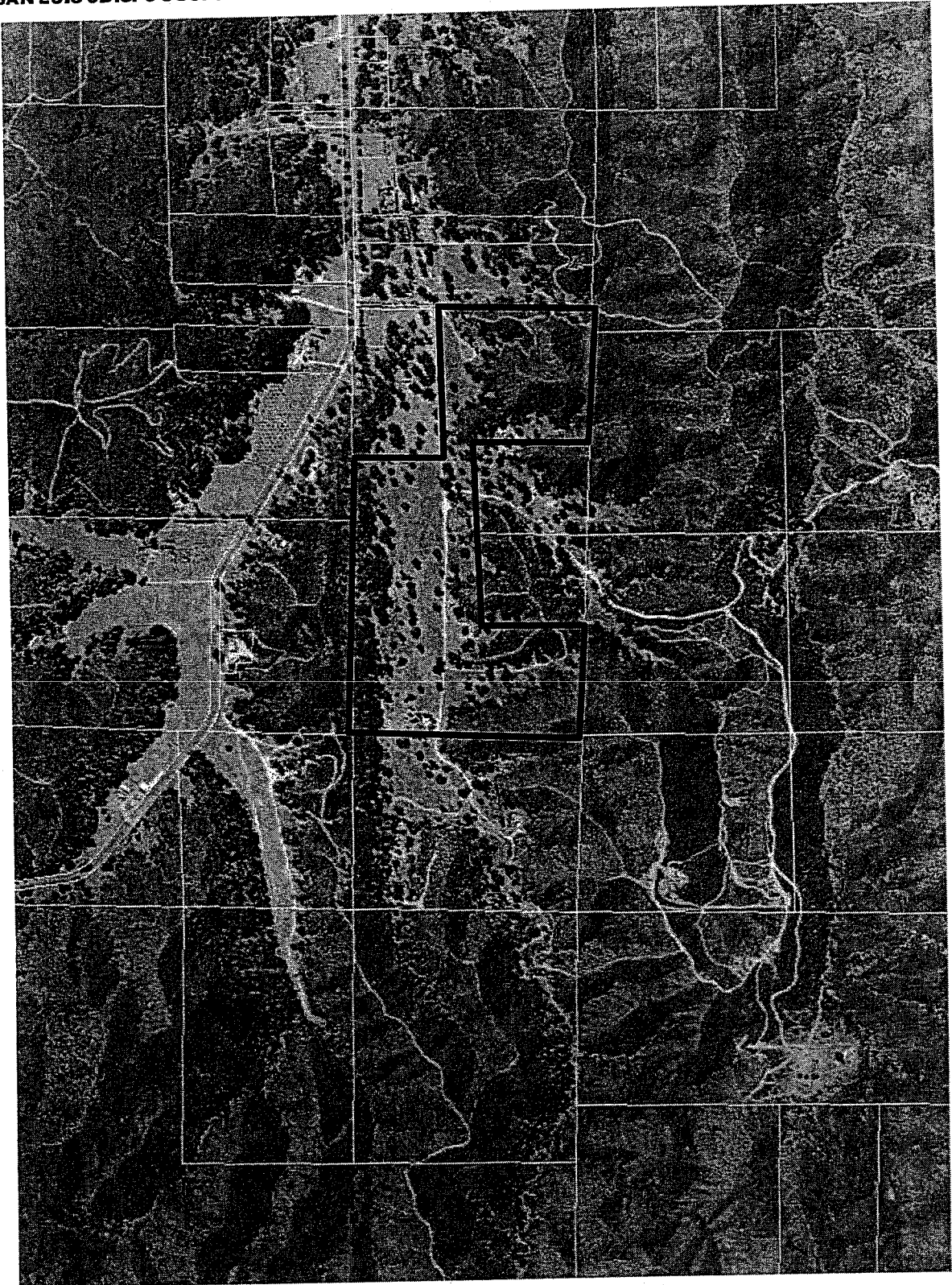
Vicinity Map



PROJECT
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EXHIBIT
Land Use Category Map



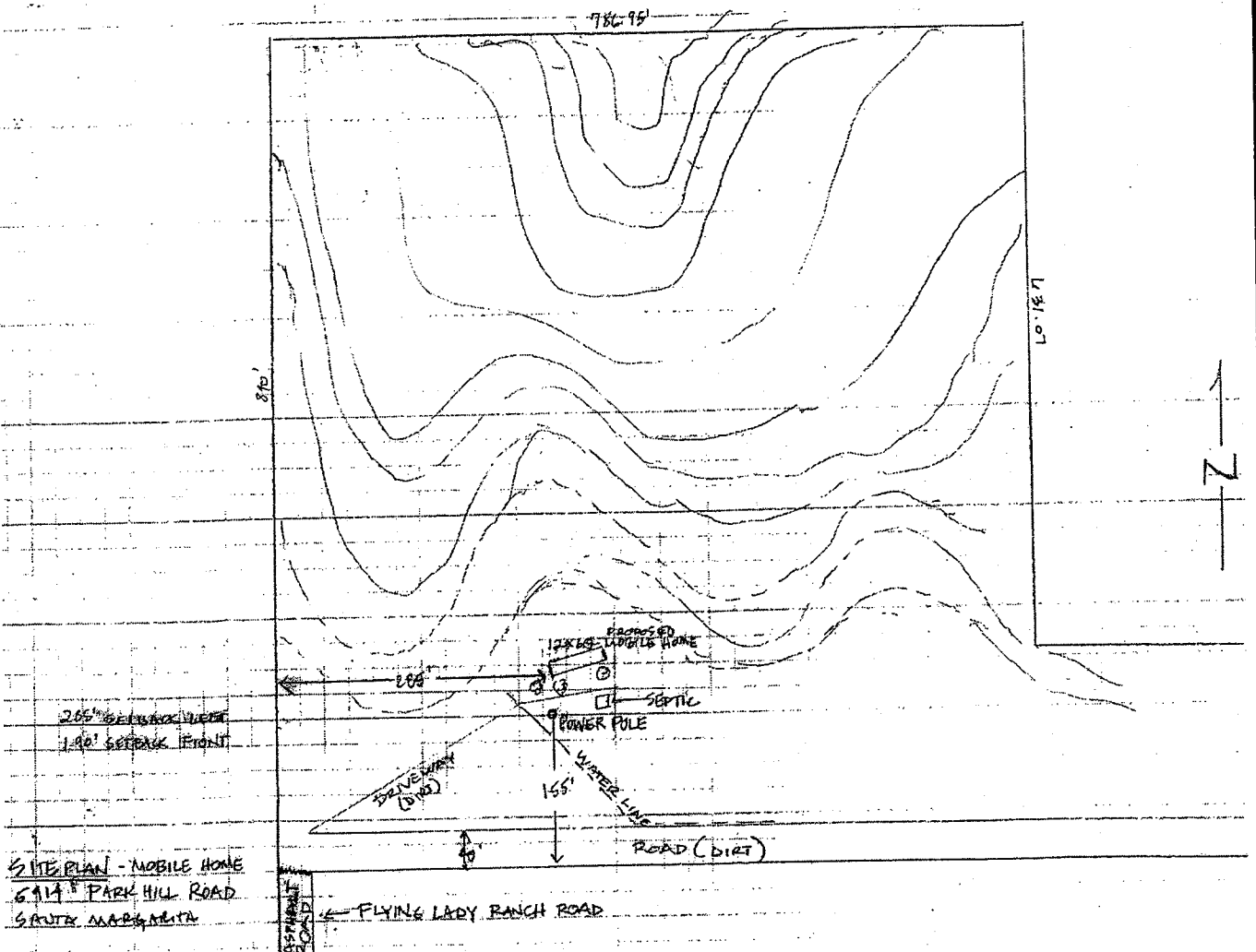
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EXHIBIT

Aerial Photo of Site



PROJECT

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EXHIBIT

Site Plan